



JAN 11 2008

Carl Dahlberg, Chairman  
Fort Independence Indian Reservation  
P.O. Box 67  
Independence, CA 93526  
FAX (760) 878-2311

Re: Submission of Fort Independence Indian Reservation Tribal Gaming Ordinance

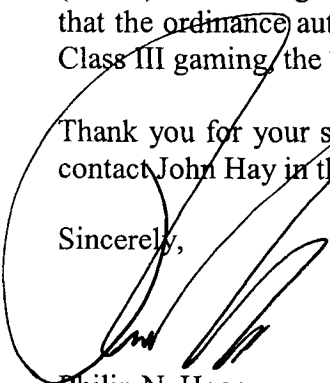
Dear Chairman Dahlberg:

This letter responds to your request to the National Indian Gaming Commission (NIGC) to review and approve the tribal gaming ordinance of the Fort Independence Indian Reservation (Tribe). The Tribe forwarded the ordinance by Resolution 2007-17 on October 3, 2007, and the NIGC received the ordinance on October 16, 2007.

The ordinance is consistent with the requirements of the Indian Gaming Regulatory Act (IGRA) and this agency's regulations, and it is therefore approved. However, we note that the ordinance authorizes the Tribe to conduct Class III gaming. In order to conduct Class III gaming, the Tribe must establish a compact with the State of California.

Thank you for your submission. If you have any questions or require assistance, please contact John Hay in the Office of the General Counsel, at 202-632-7003.

Sincerely,



Philip N. Hogen  
Chairman

cc: John Peebles, Esq.  
Fredericks Peebles & Morgan LLP  
1001 Second Street  
Sacramento, CA 95814  
FAX (916) 441-2067



# FORT INDEPENDENCE INDIAN RESERVATION

P.O. Box 67 • INDEPENDENCE, CA 93526 • (760) 878-2126 • Fax (760) 878-2311

OCT 16 2007

October 5, 2007

Mr. Phillip Hogen, Chairman  
National Indian Gaming Commission  
1441 L Street NW  
Suite 9100  
Washington, DC 20005

Re: Submission of Fort Independence Indian Reservation Tribal Gaming Ordinance

Dear Chairman Hogen:

The Fort Independence Indian Reservation, also recognized by the United States under the name "Fort Independence Indian Community of Paiute Indians of the Fort Independence Indian Reservation, California" ("the Fort Independence Indian Reservation" or "Tribe") adopted the Fort Independence Indian Reservation Tribal Gaming Ordinance ("Tribal Gaming Ordinance") on October 3, 2007. Our Tribal Gaming Ordinance is drafted so as to regulate both class II and class III gaming on our Reservation. We are submitting our Tribal Gaming Ordinance for approval by the Chairman pursuant to 25 C.F.R. Parts 522.2, 522.4 and 522.6.

To aid you in evaluating our Tribal Gaming Ordinance, please see the following table of the applicable C.F.R. provisions under which this Tribal Gaming Ordinance is submitted, that sets forth the relationship between the applicable C.F.R. provisions and the related Tribal Gaming Ordinance provisions. There are no attachments other than (1) the Tribal Gaming Ordinance; and (2) the Resolution of the Fort Independence Indian Reservation adopting the Tribal Gaming Ordinance and signed by Chairman Carl Dahlberg. The Tribe has yet to appoint its Tribal Gaming Commission; therefore no Tribal Gaming Regulations have been promulgated at this time. In addition, the Tribe does not have a tribal-state gaming compact at this time.

25 C.F.R. Part	Related and Cross-Referenced 25 C.F.R. Part	Document Attached with Submission	Applicable or Related TGO Provision
§ 522.4 (a)	522.2, generally		See below

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“	§ 522.2(a)- meeting standards of Part 522.4(b) or 522.6	TGO Resolution	TGO – entire document
“	§ 522.2(b)		§ 201 through 212, generally; and § 202, specifically
“	§ 522.2(c)		§ 201 through 212, generally
“	§ 522.2(d)	None exist at this point, none attached	
“	§ 522.2(e)	No tribal-state compact exists at this time.	
“	§ 522.2(f)		§ 115
“	§ 522.2(g)		§ 117
“	§ 522.2(h)		§ 204 through 206
§ 522.4(b)	§ 522.4(b)(1)		§ 104
“	§ 522.4(b)(2)		§ 105
“	§ 522.4(b)(3)		§ 113
“	§ 522.4(b)(4)		§ 113
“	§ 522.4(b)(5)		§ 201 through 212
“	§ 522.4(b)(6)		§ 116
“	§ 522.4(b)(7)		§ 114
§ 522.6 (a)	522.2, generally		See above items listing corresponding sections of the Tribal Gaming Ordinance that are in compliance with § 522.2
§ 522.6(b)			
“	§ 522.4(b)(2)		§ 105
“	§ 522.4(b)(3)		§ 113
“	§ 522.4(b)(4)		§ 113
“	§ 522.4(b)(5)		§ 201 through 212
“	§ 522.4(b)(6)		§ 116
“	§ 522.4(b)(7)		§ 114
§ 522.4(c)			§ 104

We ask that you approve this Tribal Gaming Ordinance no later than 90 days from the date of this submission, pursuant to 25 C.F.R. Parts 522.4 and 522.6. We ask that you also publish our Tribal Gaming Ordinance and Resolution in the FEDERAL REGISTER with your approval, pursuant to 25 C.F.R. Part 522.8. If you should fail to approve or disapprove the Tribal Gaming Ordinance within 90 days of this submission, the Tribal

Gaming Ordinance and Resolution shall be considered to have been approved by you pursuant to 25 C.F.R. Part 522.9.

Thank you for your prompt approval of this Tribal Gaming Ordinance.

A handwritten signature in black ink, appearing to read "Carl Dahlberg", with a stylized flourish extending from the end.

Carl Dahlberg, Chairman  
Fort Independence Indian Reservation

cc: Encl.



## FORT INDEPENDENCE INDIAN RESERVATION

P.O. Box 67 • INDEPENDENCE, CA 93526 • (760) 878-2126 • Fax (760) 878-2311

### RESOLUTION 2007-17

#### FORT INDEPENDENCE INDIAN RESERVATION TRIBAL GAMING ORDINANCE

##### RECITALS

**WHEREAS:** The Fort Independence Indian Reservation, also recognized by the United States under the name "Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California" ("the Tribe"), is a federally recognized sovereign Indian tribe established pursuant to the Articles of Association of the Tribe (the "Articles of Association") and exercising jurisdiction over all lands owned by the United States for the benefit of the Tribe; and

**WHEREAS:** The General Council of the Tribe (the "General Council") is the governing body of the Tribe pursuant to Article III, Section 1 of the Articles of Association; and

**WHEREAS:** The Tribe through its General Council is empowered to manage all economic affairs and enterprises of the Tribe, pursuant to Article V, Section 1, subsection F, of the Articles of Association; and

**WHEREAS:** The protection, safety and welfare of all persons, including, but not limited to, the preservation of education, economic and employment opportunities, and preservation of cultural and natural resources, within Tribal jurisdiction of the Fort Independence Indian Reservation, are primary goals and objectives of the General Council; and

**WHEREAS:** The operation of class II and class III gaming, subject to the terms and provisions of this Tribal Gaming Ordinance and all applicable laws, will provide funds for the continued operation and strengthening of the Fort Independence Indian Reservation Tribal government and the delivery of its governmental services; and

**WHEREAS:** The Fort Independence Indian Reservation will conduct its gaming activity on its Indian lands; and

**WHEREAS:** The Fort Independence Indian Reservation has the exclusive right to regulate gaming activity on its Indian lands because the gaming activity will be conducted pursuant to the Indian Gaming Regulatory Act ("IGRA") and is within the a state that does not, as a matter of criminal law and public policy, prohibit such gaming; and

**WHEREAS:** The gaming activity by the Fort Independence Indian Reservation will produce capital which the Tribe can use to also promote Tribal economic development, Tribal self-sufficiency, and strong Tribal government; and

**WHEREAS:** The Fort Independence Indian Reservation General Council reviewed and considered, at a duly called General Council Meeting, the Fort Independence Indian Reservation Tribal Gaming Ordinance; and

**WHEREAS:** The General Council has determined that it is in the best interest of the Tribe to adopt the Fort Independence Indian Reservation Tribal Gaming Ordinance;

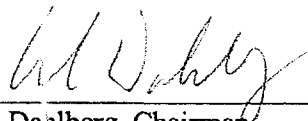
**NOW THEREFORE, BE IT RESOLVED,** that the Fort Independence Indian Reservation hereby adopts the Fort Independence Indian Reservation Tribal Gaming Ordinance.

**BE IT FURTHER RESOLVED,** that the Tribe's attorneys, Fredericks Peebles & Morgan LLP, are directed to submit the adopted Fort Independence Indian Reservation Tribal Gaming Ordinance to the National Indian Gaming Commission.

**BE IT FURTHER RESOLVED,** that the effective date of the Fort Independence Indian Reservation Tribal Gaming Ordinance shall be the date that the Chairman of the National Indian Gaming Association approves this Ordinance.

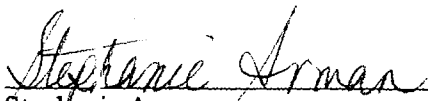
CERTIFICATION

IT IS HEREBY RESOLVED THAT THE FOREGOING WAS ADOPTED BY THE GOVERNING BODY OF THE FORT INDEPENDENCE RESERVATION AT A DULY CALLED MEETING AT WHICH A QUORUM WAS PRESENT ON THE 3<sup>RD</sup> DAY OF OCTOBER 2007, BY A VOTE OF 18 FOR, 0 AGAINST, AND 0 ABSTENTIONS, THIS RESOLUTION HAS NOT BEEN CHANGED OR AMENDED IN ANY WAY.

  
\_\_\_\_\_  
Carl Dahlberg, Chairman

10/3/07  
\_\_\_\_\_  
Date

ATTEST:

  
\_\_\_\_\_  
Stephanie Arman,  
Secretary/Treasurer

10-3-07  
\_\_\_\_\_  
Date